

**2813.7002 Procedure.**

(a) Purchases utilizing the certified invoice procedure shall be effected only in accordance with FAR part 13 and JAR 2813, subject to the following:

(1) The amount of any one purchase does not exceed 10 percent of the small purchase limitation;

(2) A purchase order is not required by either the supplier or the Government;

(3) Appropriate invoices can be obtained from the supplier; and

(4) The items to be purchased shall be domestic source end products, except as provided in FAR subpart 25.1.

(b) Use of the certified invoice procedures does not eliminate the requirements in FAR part 13 or JAR part 2813 to:

(1) Reserve small purchases for small business in accordance with the Small Business Investment Act of 1958, as amended (15 U.S.C. 661, et seq.), or document the file as to why a small business was not selected;

(2) Certify that the quality and quantity of item/services furnished are in accordance with the verbal agreement made with the vendor; and

(3) Obtain competitive quotes as is reasonable for the item being purchased.

(c) The Chief of the Contracting Office, as defined in (JAR) 48 CFR 2802.102(g), shall delegate the authority to the use the certified invoice procedure. Each delegation must specify any limitation placed on the individual's use of these procedures, such as limits on the amount of each purchase, or limits on the commodities, or services which can be procured.

(d) Each individual using this purchasing technique shall require the supplier to immediately submit properly prepared invoices which itemize property or services furnished. Upon receiving the invoice, the individual making the purchase shall annotate the invoice with the date of receipt, verify the arithmetic accuracy of the invoiced amount and verify on the invoice that the supplies and/or services have been received and accepted. If the invoice is correct, the individual making the purchase shall sign the invoice indicating acceptance and immediately forward it to his/her Executive Office.

The invoice shall be approved by his/her appropriate administrative office and be forwarded to the Finance Office for payment within 5 workdays after receipt of the invoice, or acceptance of supplies or services, whichever is later. Before forwarding the invoice to Finance, the administrative office shall place the following statement on the invoice, along with the accounting and appropriation data:

I certify that these goods and/or services were received on \_\_\_\_\_ (date) and accepted on \_\_\_\_\_ (date). Oral purchase was authorized and no confirming order has been issued.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Printed or Typed Name and Title \_\_\_\_\_

[57 FR 24558, June 10, 1992, as amended at 60 FR 40110, Aug. 7, 1995]

**PART 2814—SEALED BIDDING**

AUTHORITY: 28 U.S.C. 510; 40 U.S.C. 486(c); 28 CFR 0.75(j) and 0.76(j).

**Subpart 2814.4—Opening of Bids and Award of Contract****2814.406-370 Other mistakes disclosed before award.**

(a) The authority to make determinations under paragraphs (a), (b), (c), and (d) of FAR Subsection 14.406-3 is delegated to those individuals listed in subpart 2801.6, Contracting Authority and Responsibility, section 2801.601. Such authority may be redelegated in accordance with FAR 14.406-3(e).

(b) Copies of all records, documentation, and determinations made with respect to mistakes in bids shall be kept in the contract file to which they pertain.

(c) The following procedures shall be followed when submitting doubtful cases of mistakes in bids to the Comptroller General for an advance decision.

(1) Requests for advance decisions submitted to the Comptroller General in cases of mistakes in bids shall be made by those individuals in paragraph (a) of this section with the authority to make determinations under this subpart.

(2) Requests for advance decisions shall be in writing, dated, signed by the requestor, addressed to the Comptroller General of the United States, General Accounting Office, Washington, DC 20548, and contain the following:

(i) The name and address of the party requesting the decision;

(ii) A statement of the question to be decided, a presentation of all relevant facts, and a statement of the requesting party's position with respect to the question; and,

(iii) Copies of all pertinent records and supporting documentation.

[50 FR 4459, Jan. 30, 1985]

## **PART 2815—CONTRACTING BY NEGOTIATION**

### **Subpart 2815.4—Solicitation and Receipt of Proposals and Quotations**

Sec.

2815.405 Solicitations for informational and planning purposes.

2815.408 Issuing solicitations.

2815.411 Receipt of proposals and quotations.

### **Subpart 2815.5—Unsolicited Proposals**

2815.506 Agency procedures.

### **Subpart 2815.8—Price Negotiation**

2815.803–70 General.

2815.804–370 Waiver of submission of certified cost or pricing data.

2815.805–570 Field pricing support.

AUTHORITY: 28 U.S.C. 510; 40 U.S.C. 486(c); 28 CFR 0.75(j) and 0.76(j).

SOURCE: 50 FR 4459, Jan. 30, 1985, unless otherwise noted.

### **Subpart 2815.4—Solicitation and Receipt of Proposals and Quotations**

#### **2815.405 Solicitations for informational and planning purposes.**

When a solicitation for informational or planning purposes is to be issued, the contracting officer shall make a written determination that such solicitation is justified. This determination shall be approved at one level above the contracting officer.

[60 FR 40110, Aug. 7, 1995]

#### **2815.408 Issuing solicitations.**

Solicitations involving classified information shall be handled in accordance with the policies and procedures contained in departmental and other OBDB prescribed policies and regulations that supplement Departmental regulations. Such supplemental regulations must have the prior approval of the AAG/A before implementation in accordance with the Departmental regulations.

(Approved by the Office of Management and Budget under control number 1105–0028)

#### **2815.411 Receipt of proposals and quotations.**

Classified proposals and quotations shall be handled in accordance with agency regulations and any supplemental directives or orders implemented by the OBDBs.

### **Subpart 2815.5—Unsolicited Proposals**

#### **2815.506 Agency procedures.**

(a) Each contracting activity of the Department as defined in 2802.1(a) shall designate a point of contact for the receipt and handling of unsolicited proposals. Generally, the official designated shall be the chief of the contracting office as defined in 2802.1(f) or immediate subordinate.

(b) The following points of contact have been designated:

(1) For the OBDBs—The Assistant Director, Procurement Service, PCS.

(c) The designated point of contact for each contracting activity shall provide for and coordinate receipt, review, evaluation, and final disposition of unsolicited proposals in accordance with FAR 15.506 through 15.509.

(d) The contracting officer shall advise the members of the evaluation committee of the Standards of Conduct contained in 28 CFR part 45. Each member of the evaluation committee shall certify in writing that he/she has no apparent or actual conflict of interest. Committee members who become aware of a conflict of interest during the course of the proceedings shall report such conflicts, whether real or apparent, to the contracting officer immediately following such awareness.